

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

PLU INVESTMENTS, LLC, and Arizona limited liability company,

No. 2:10-CV-00626-RSL

Plaintiff,

v.

INTRASPECT GROUP, INC., a Nevada Corporation; National Housing Solutions, LLC, a Nevada limited liability company; TODD BUCKNER and JANE DOE BUCKNER, husband and wife,

DECLARATION OF NATALIA LITCHEV IN SUPPORT OF MARINA ANDRUSHCHAK'S MOTION FOR RELIEF FROM DEADLINE AND FOR AN AWARD OF ATTORNEY'S FEES

Defendants

NOTE ON MOTION CALENDAR:
March 4, 2010

I, Natalia Litchev, declare as follows:

1. I am the attorney for MARINA ANDRUSHCHAK ("MARINA"), the prevailing party in this action.
2. I am over 18 years of age, have personal knowledge of the facts herein and competent to testify in the court of law.
3. I had at least one telephone conversation with counsel for PLU Roger Cohen and advised that no marital community has existed at all relevant time and requested that MARINA be released from the lawsuit. Counsel for PLU was also advised thereto via MARINA's

Motion to Set Aside Default filed as early as on or about June 29, 2010, and containing an attached copy of the Court Judgment finding that the parties were separated on September 2, 2007 and stating that the separation contract was executed on December 15, 2009, as well as via MARINA's subsequent Answer to Complaint and declarations of MARINA and TODD filed subsequently in support of MARINA's Motion for Summary Judgment.

4. Despite of the above, Counsel for PLU refused to release MARINA from the lawsuit, moreover, refused to stipulate to setting aside her default caused by lack of service of process and failed to do timely discovery, causing delays in adjudication of the Motion for Summary Judgment filed by MARINA.

5. After all that trouble and many hours of attorney's fees incurred by MARINA, on January 14, 2011, Counsel for PLU deposed MARINA for less than one and a half hours and did not contest her Motion for Summary Judgment, and failed to file Plaintiff's Notice of Non-Opposition.

6. On January 26, 2011, I e-mailed attorney Teru Olsen, counsel for PLU requesting payment of the attorney's fees.

7. On January 27, 2011, attorney Olsen replied and requested the dollar amount of the fees attributable to Marina. A true and correct copy of Mr Olsen's e-mail is attached hereto as Exhibit A and is incorporated by reference.

8. On February 1, 2011, I e-mailed the spreadsheet containing the fees breakdown to Mr Olsen. A true and correct e-mail from me to Mr Olsen is attached hereto as Exhibit B and incorporated by reference.

9. On February 2, 2010, counsel for PLU responded that he would contact PLU regarding the same. A true and correct copy of Mr Olsen's e-mail is attached hereto as Exhibit C.

10. I have not received a negative response from Mr Olsen and followed up with an e-mail on February 14, 2011 but again have not heard from counsel for PLU.

11. I was mistakenly led to believe to counsel for PLU intended to negotiate the settlement of the fee issues, while now I believe they merely wanted to cause me to believe that that was their intent in hopes that I would not bring a timely motion, knowing that my client was unemployed, limited in means and reluctant to spend further fees in this matter.

12. I brought this motion as soon as I realized that Plaintiff had no intent of settling the attorney's fees issue and I apologize to the court for bringing this motion beyond the 14 days provided by Rule 54(d) and respectfully request that the Court grants relief to MARINA.

13. My hourly rate is \$200. I have expended 25.9 hours attributable to MARINA for the total amount of \$5,180. A true and correct spreadsheet of my billable hours to MARINA is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Kirkland, Washington on February 23, 2010.

s// Natalia Litchev
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Certificate Of Service

I, Natalia Litchev of Litchev Law Firm, certify that on February 23, 2011 I filed and served the attached document on counsel for Plaintiff via ECF system

s// Natalia Litchev
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